



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

Mr. Joseph Ditty
Pretreatment Coordinator
Municipal Sanitary Authority for the City of New Kensington
120 Logans Ferry Road
New Kensington, Pennsylvania 15068-2046

Re: Pretreatment Program – 2012 Annual Report
NPDES No. PA0027111

Dear Mr. Ditty:

I have completed my review of the 2012 Annual Pretreatment Report submitted by Ms. Linda French, of Hatch Mott MacDonald on March 26, 2013. For now, Liz Ottinger remains your EPA contact. This will change in the near future.

I have one specific comment related to the Measures of Success discussed below. The nickel and the zinc sludge results all exceeded their respective land application sludge goals (see Measure No. 3). There were also some influent exceedances for these pollutants (see Measure No. 1). The Annual Report indicates that two (2) of the SIUs, Castle Co-Packers and Keystone Rustproofing experienced permit violations for these pollutants. It is acknowledged that New Kensington pursued enforcement actions against these SIUs. Normally, for SIUs that are in SNC and do not return to compliance in a timely manner, the Control Authority should escalate enforcement activities. Since the POTW is experiencing some issues, but not experiencing pass-through or interference, with regard to these pollutants, New Kensington needs to have these SIUs quickly returned to compliance. The other possibility is to re-evaluate the local limits for nickel and zinc.

The only additional comments deal with the Measures of Success. In reviewing the 2012 annual reports, EPA has continued the program in which specific pretreatment implementation items for each approved program are being tracked. For calendar year 2012, a measure that tracks outstanding responses to prior EPA correspondence has been added (measure 19). All other measures remain the same, although a few clarifying changes have been made to the description of measures 9 and 10 on the measures instruction sheet. Enclosed is a sheet that includes the data that I have collected for the New Kensington pretreatment program for calendar year 2012, as well as a sheet that provides some additional information on the categories listed. An "Instruction Sheet" that provides more detail on each measure (with any changes from the 2011 measures indicated in bold) is also enclosed. Generally, the category ratings are not directly related to compliance, but "Category 1" would be considered the best rating for each measure. Finally, a summary of all of the POTW data collected so far for calendar year 2011 has been included to allow you to compare your program to the ratings achieved by POTWs in calendar year 2011.

An explanation for the measures in which category 2 or 3 was determined follows:

Measure No. 1 – Influent Results – Category 2 was assigned based on influent exceedances for copper (1), lead (1), mercury (1), nickel (3), selenium (1), TSS (2), and zinc (3). In addition, the other 3 selenium results were reported at a detection limit (DL) that was above the selenium goal. The Lab must be able to measure levels below any goal or limits. See the footnotes on the Measures sheet and enclosure 5.

Measure No. 3 – Sludge Results – As discussed above, all 4 of the nickel and the zinc sludge results exceeded their respective goals. This resulted in a category 3 rating. Based on the influent results, there were influent exceedances for these pollutants as well. Possible sources are the discharges from Castle Co-Packers and Keystone Rustproofing. Enhanced enforcement needs to proceed for these violators. It is also possible that a re-evaluation of the local limits may be warranted. See the footnotes on the Measures sheet and enclosure 5.

Measure No. 4 – Data/local limits evaluation – Based on the sludge exceedances, category 3 was assigned.

Measure No. 7 – SIU SNC rate – Category 3 was assigned based on 50% (3/6) of the SIUs being in SNC during 2012. See the footnote on the Measures sheet.

Measure No. 11 – IU SNC rate for self-monitoring & reporting – Category 3 was assigned due to 16.7% (1/6) of the SIUs being in SNC for self-monitoring & reporting. This SIU was Castle Co-Packers.

Measure No. 16 – Local Limits reevaluation – Category 1 was assigned. New Kensington must arrange for adoption by the contributing municipalities of the 2013 local limits ASAP, which were adopted by the Municipal Authority on 4/15/13, or arrange to provide EPA with a new Solicitor's Statement which authorizes automatic adoption of substantial program changes in the entire service area due to coverage under the PA Municipal Authorities Act.

Measure No. 20 – Overall Program Rating - The overall rating of this program for 2012 was **82.5%**, which is category 2.

Please review this information and provide the requested follow-up activities within thirty (30) days of receipt of this letter. If you have any questions regarding this matter, please contact me at (215) 814-5792.

Sincerely,

Stephen G. Copeland
NPDES Permits and Enforcement (3WP41)
Water Protection Division

Enclosures

cc: Linda French, Hatch Mott MacDonald (w/enclosures)
Sam Harper, PADEP Southwest Region (w/o enclosures)
Ron Furlan, PADEP-Central Office (w/o enclosures)